



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37697-0081

Applicant(s): Edward W. MERRILL *et al.*

Confirmation No.: 6751

Serial No.: 10/696,362

Examiner: S. Berman

Filing Date: October 30, 2003

Group Art Unit: 1711

Title: RADIATION AND MELT TREATED ULTRA HIGH MOLECULAR
WEIGHT POLYETHYLENE PROSTHETIC DEVICES

11/03/2004 RFEKADU1 00000020 10696362

INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56 and 37 CFR §1.97

01 FC:1806

180.00 OP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

This Information Disclosure Statement is being filed after the mailing of a first Office action on the merits but before the mailing date of either (1) a final action under §1.113; (2) a notice of allowance under §1.311; or (3) an action that otherwise closes prosecution in the application. The required fee in the amount of \$180.00 in

accordance with 37 CFR §1.17(p) is attached. The Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

English translations of the foreign-language documents may not be readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

November 2, 2004
Date

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Respectfully submitted,



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**LIST OF REFERENCES CITED
BY APPLICANT(S)**

Date Submitted: **November 2, 2004**

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1711

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE (M/D/Y)	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	B01	6,786,933	9/7/04	MERRILL ET AL.	623	23.58

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE (M/D/Y)	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	B02	WO94/27651	12/8/94	WIPO		
	B03	WO93/10953	6/10/93	WIPO		
	B04	EP0847765	6/17/98	EPO		
	B05	EP1005872	6/7/00	EPO		
	B06	AU-B-64364/94	12/20/94	Australia		
	B07	JP62243634	10/24/87	Japan		Abstract
	B08	JP59168050	9/21/84	Japan		Abstract
	B09	BE1001574A6	12/5/89	Belgium		No

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	B10	Bennett et al.	42 nd Annual Meeting, Orthopaedic Research Society, Atlanta, GA (2/19-22/96)
	B11	de Boer et al.	Polymer 23: 1944-1952 (1982)
	B12	Grulke	Polymer Process Engineering, p. 419, PTR Prentice Hall (1994)
	B13	Howmedica	Overview and Fundamentals of UHMWPE, Part 1 of a Series on Ultra-High Molecular Weight Polyethylene, p. 1-8 (1994)
	B14	Howmedica	Material Properties, Product Quality Control and Their Relation to UHMWPE Performance, Part 2 of a Series on Ultra High Molecular Weight Polyethylene, p. 1-20 (1994)
	B15	Howmedica	A Comparative Analysis Analysis of the Properties of Standard and "Enhanced" Ultra-High Molecular Weight Polyethylene, Part 3 of a Series on Ultra High Molecular Weight Polyethylene, p. 1-12 (1994)
	B16	Howmedica	Duration Stabilized UHMWPE, A Polyethylene with Superior Resistance to Oxidation, Part 4 of a Series on Ultra High Molecular Weight Polyethylene, p. 1-12 (1998)
	B17	Kamel et al.	J. of Polymer Science: Polymer Physics Edition 23: 2407-2409 (1985)
	B18	Lancaster	Friction and Wear, Polymer Science, Chapter 14: 960-1046 (1972)
	B19	Li et al.	The Journal of Bone and Joint Surgery 76-A: 1080-1090 (1994)
	B20	Miller et al.	Wear 28: 207-216 (1974)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Sheet 2 of 2 Form PTO/SB/08A				ATTY DOCKET NO. 37697-0081		SERIAL NO. 10/696,362	
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	B21	Narkis et al.	J. Macromol. Sci Phys. B26(1): 37-58 (1987)				
	B22	Qu et al.	J. of Applied Polymer Science 48: 711-719 (1993)				
	B23	Ratner et al.	Abrasion of Rubber 145-154 (1967)				
	B24	Rose et al.	Biomaterials 11: 63-67 (1990)				
	B25	Rosen	Fundamental Principles of Polymeric Materials, p.40, John Wiley & Sons, Inc. (1993)				
	B26	Shen et al.	Wear 30: 349-364 (1974)				
	B27	Shinde et al.	J. of Polymer Science: Polymer Physics Edition 23: 1681-1689 (1985)				
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